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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,360	07/11/2003	Noah Dan	07980001AA	1512
30743 7590 11/16/2007 WHITHAM, CURTIS & CHRISTOFFERSON & COOK, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			EXAMINER WOOD, WILLIAM H	
			ART UNIT 2193	PAPER NUMBER
			MAIL DATE 11/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/617,360

Applicant(s)

DAN ET AL.

Examiner

William H. Wood

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

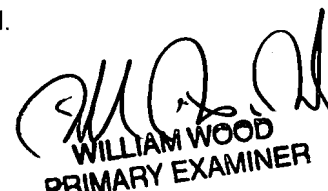
- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____


WILLIAM WOOD
PRIMARY EXAMINER

DETAILED ACTION

Claims 1-20 are pending and have been examined.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 14 September 2007 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 6-7, 11-15, 17 and 19-20 are rejected under 35 U.S.C. 102(a, e) as being anticipated by **Archer** (USPN 6,473,748 B1).

Claim 1

Archer discloses a system for developing and maintaining a computer application in a specified enterprise environment, comprising:

a plurality of service components constructed in an application language for adaptation to an enterprise area, said enterprise area including said specified enterprise environment (*column 1, lines 21-32, column 2, lines 7-11, 19-21, module provided services; column 4, lines 8-19, multiple business areas of the enterprise*);

an incomplete application designed to be completed after a platform of said service components has been prepared in the specified enterprise environment (*column 2, lines 7-8, the program*), said service components being reusable in another enterprise environment in a vertical enterprise area containing the specified enterprise environment (*column 4, lines 8-19, multiple business areas of the enterprise*), said reusable service components being built and deployed on an application server to facilitate completion and scaling of

said incomplete application (*column 1, lines 27-30, compiled/linked; column 2, lines 13-15, server with necessary component/module*);

business process requirements applicable to said application in said specified enterprise environment (*column 5, lines 10-17*); and

a framework for completing said incomplete application using said reusable service components and said language, responsive to said business process requirements (*column 5, lines 43-47*),

wherein said computer application is maintained responsive to changes in said business process requirements by using said framework to complete said incomplete application using said reusable service components and said language responsive to said business process requirements revised to incorporate said changes (*column 5, lines 45-46, "new or future enterprise computing needs"*).

Claim 2

Archer discloses a system as in claim 1, wherein said application language is Java (*column 10, lines 1-2*).

Claim 11

Archer discloses a system as in claim 1, further comprising a vertical application pre-configuration adapted from said reusable service components to said enterprise area, wherein said vertical application pre-configuration is

used in said framework to complete and maintain said incomplete application
(column 4, lines 8-19, multiple business areas of the enterprise).

Claims 6-7, 12-15, 17 and 19-20

The limitations of claims 6-7, 12-15, 17 and 19-20 correspond to the limitations of claims 1-2 and 11 and are therefore rejected in a corresponding manner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, 8-10, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Archer** (USPN 6,473,748 B1) in view of **Monson-Haefel**, "Enterprise JavaBeans".

Claim 3

Archer did not explicitly state wherein at least one of said reusable service components is a session bean. **Monson-Haefel** demonstrated that it was

known at the time of invention to make use of reusable Enterprise JavaBeans for services and components (chapter 1, first paragraph, “It [Enterprise JavaBeans] combines server-side components with distributed object technologies such as CORBA and Java RMI to greatly simplify the task of application development”) and to use session beans to facilitate interaction between beans (chapter 7, second paragraph, “They [session beans] are useful for describing interactions between other beans (workflow) ...”; chapter 7, page 2, first full paragraph, “a stateless session bean is a collection of related services ...”). It would have been obvious to one of ordinary skill in the art at the time of invention to implement the reusable components and services of **Archer** with Enterprise JavaBeans including some as session beans as found in **Monson-Haefel**’s teaching. This implementation would have been obvious because one of ordinary skill in the art would be motivated to facilitate easy development of reusable components/services and provide complicated services needing “workflow” management.

Claim 4

Archer and **Monson-Haefel** discloses a system as in claim 3, wherein said framework is used to integrate and maintain a legacy application in said specified enterprise environment (**Archer**: column 5, lines 46-47).

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Claim 5

Archer did not explicitly state wherein said reusable service components are shrink-wrapped in said vertical pre-configuration. **Monson-Haefel** demonstrated that it was known at the time of invention to “shrink-wrap” components for deployment (section 4.3.7, “we can shrink-wrap the TravelAgent been so that it’s ready for deployment”). It would have been obvious to one of ordinary skill in the art at the time of invention to implement the reusable components and services of **Archer** with shrink-wrapping as found in **Monson-Haefel**’s teaching. This implementation would have been obvious because one of ordinary skill in the art would be motivated to provide for an easy deployment.

Claims 8-10, 16 and 18

The limitations of claims 8-10, 16 and 18 correspond to the limitations of claims 3 and 5 and are therefore rejected in a corresponding manner.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

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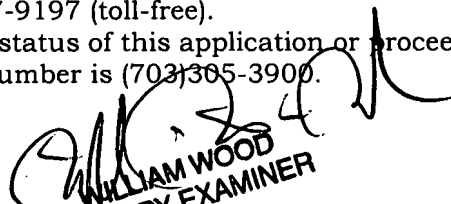
Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Wood whose telephone number is (571)-272-3736. The examiner can normally be reached 10:00am - 4:00pm Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)-272-3756. The fax phone numbers for the organization where this application or proceeding is assigned are (571)273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR systems, see <http://pair-direct.uspto.gov>. For questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.



WILLIAM WOOD
PRIMARY EXAMINER

William H. Wood
Patent Examiner
AU 2193
November 13, 2007